IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6484 OF 2005

Sunil Ramgopal Agrawal ...Applicant

vs.

State of Maharashtra & Anr. ...Respondents

Mr.A.P.Mundargi, Senior Counsel i/by Mr.A.H.H.H.Ponda for the Applicant
Ms Rajeshree Gadhvi,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 17,2005

P.C.:

1. Heard learned Senior Counsel for the Applicant and the learned A.P.P. for State. The F.I.R. has been registered against the Applicant for offences punishable under Sections 498-A, 406, 506 read with Section 34 of the Indian Penal Code. The learned A.P.P. on instructions of the Investigating Officer stated that as directed by this Court by order dated 7th October 2005, the Applicant has attended the Police Station and has cooperated for the investigation. The learned A.P.P. stated that the Applicant has not produced passport of his daughter. The learned A.P.P. on instructions of the Investigating Officer further stated that the investigation has been completed.

2. The learned Senior Counsel for the Applicant stated that the daughter is in custody of the original complainant and the

passport of the daughter is with the original complainant.

3. If investigation is completed, custodial interrogation of the Applicant is not required only because he is unable to produce the passport of his daughter. Even according to the case of the State the Applicant has attended the Police Station and has co-operated for investigation. Considering the facts and circumstances of the case, the Applicant deserves to be granted anticipatory bail.

4. Hence I pass the following order :

i) In the event of the arrest of the Applicant in connection with C.R.No.160 of 2005 registered with Versova Police Station, Mumbai the Applicant shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.15,000/- (Rupees fifteen thousand only) with one or two local sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant will attend the concerned Police Station on every Saturday from 4.00p.m. to 6.00 p.m. till filing of the charge sheet and will cooperate for the purposes of investigation.

iii) The Bail is granted subject to condition that the

Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/investigating agency. The Applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the Applicant only till charge sheet is filed. Thereafter, he will be free to apply to the appropriate Court for appropriate relief.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE